

**BOARD OF COUNTY COMMISSIONERS**  
**Agenda Item Summary**

**Meeting Date**      **4/21/04**

**Division**      **County Attorney**

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**AGENDA ITEM WORDING**

Approval of contract amendment number two naming Enola Contracting Services, Inc. as a co-contractor with Wind-Tech Products, Inc. and clarifying the substantial completion date to be May 25, 2004.

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**ITEM BACKGROUND**

Under the contract to replace the defective windows at the Gato Building which the County entered into with Wind-Tech Products, Inc., the contractor needs to secure a performance bond. Wind-Tech needs to partner with a general contractor that is licensed in Florida in order to secure the bond. Wind-Tech has secured the services of Enola Contracting Services, Inc. to assist with the project. Approval would simply modify the contract to add Enola Contracting Services, Inc. as an additional contractor with Wind Tech and would include the date required for substantial completion in order to satisfy the FEMA grant requirements.

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**PREVIOUS RELEVANT BOCC ACTION**

In November 2003, the BOCC conditionally approved the Wind-Tech contract, subject to certain conditions being satisfied. On March 17, 2004, the BOCC approved the contract amendment with Wind-Tech and the resolution transferring additional funds.

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**CONTRACT/AGREEMENT CHANGES**

Change name on contract to add Enola Contracting Services, Inc. as a co-contractor and clarifying substantial completion date.

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**STAFF RECOMMENDATIONS**

Approval.

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TOTAL COST	none	BUDGETED	Yes	No
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COST TO COUNTY	none	SOURCE OF FUNDS
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**APPROVED BY:**      County Attorney ■      OMB/Purchasing !      Risk Management !

**DIVISION DIRECTOR APPROVAL:**

  
JOHN R. COLLINS

**DOCUMENTATION:**      Included !      To Follow xx      Not Required !

**AGENDA ITEM #** \_\_\_\_\_

S3

## Contract Amendment No. 2

Project Title: Gato Building window replacement

Contract Amendment No: 2

This amendment is entered this \_\_\_\_ day of \_\_\_\_\_, 2004, by and between the Board of County Commissioners of Monroe County, Florida (hereinafter "the County" or the "Commission" as appropriate), and Wind-Tech Products, Inc. (hereinafter "Wind-Tech"), and Enola Contracting Services, Inc. (hereinafter "Enola"), wherein the parties state as follows:

WHEREAS, the County and Wind-Tech entered into an agreement dated November 19, 2003; and

WHEREAS, said agreement was amended by resolution of the Commission on March 17, 2004; and

WHEREAS, it is deemed necessary to provide for Enola Contracting Services, Inc. to act as a co-contractor to Wind-Tech;

NOW THEREFORE the parties undersigned do agree as follows:

- 1) Enola Contracting Services, Inc. shall be a named party to the contracted dated November 19, 2003 and amended on March 17, 2004;
- 2) Enola Contracting Services, Inc. shall be bound by the terms set forth in the contract between Monroe County and Wind-Tech Products, Inc., which was approved by the Commission on November 19, 2003, and amended on March 17, 2004, both of which are incorporated by

reference as if fully set forth herein to be jointly and severally  
responsible for all obligations stated therein for Wind-Tech;

- 3) The substantial completion date for this project is hereby clarified to be  
May 25, 2004;
- 4) Enola and Wind-Tech agree that Enola and all subcontractors shall  
carry sufficient insurance coverage which is required by the contract  
dated November 19, 2003, as amended on March 17, 2004, and shall  
list the County as a co-insured on that/those policy/policies.
- 5) All other provisions of the contract dated November 19, 2003, as  
amended on March 17, 2004, not inconsistent herewith, shall remain in  
full force and effect.

In witness whereof, the parties have caused these presents to be  
executed in their respective names:

Contractor

\_\_\_\_\_  
Enola Contracting Services, Inc. Date

Contractor

\_\_\_\_\_  
Wind-Tech Products, Inc. Date

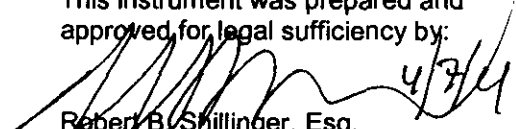
(Seal)  
Attest: Danny L. Kolhage, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Murray Nelson, Mayor

This instrument was prepared and  
approved for legal sufficiency by:

  
Robert B. Shillinger, Esq.  
Assistant County Attorney  
P.O. Box 1026  
Key West, Florida 33041-1026  
(305) 292-3470